

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DANIEL CALVIN,

2:12-CV-379 JCM (VCF)

Plaintiff,

V.

DEPARTMENT OF MOTOR  
VEHICLES APPEAL BOARD,

Defendant.

## ORDER

Presently before the court is the case of *Calvin v. Department of Motor Vehicles Appeal Board*, 2:12-cv-00379-JCM-VCF, filed by *pro se* plaintiff Daniel Calvin. (Doc. #1).

18 On February 13, 2012, state administrative law judge Toni Boone held a hearing at the Office  
19 of Administrative Hearings at the Nevada Department of Motor Vehicles. (Doc. #1, Ex. 1). One  
20 day later, Judge Boone issued a written ruling affirming the revocation of petitioner's driving  
21 privileges for driving under the influence of intoxicants. (Doc. #1, Ex. 1).

22 Judge Boone’s order stated that an “adverse decision may be appealed to [d]istrict [c]ourt  
23 under NRS 484C.230 within thirty (30) days of the date of this decision.” (Doc. #1, Ex. 1). Plaintiff  
24 then filed the instant case in federal district court. (Doc. #1).

25 Plaintiff should have appealed Judge Boone's decision to the state district court rather than  
26 filing a new suit in federal district court. *See* NRS 484C.230(3). This court does not have  
27 jurisdiction to hear this case.

1 || Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the above-captioned case  
3 be, and the same hereby is, DISMISSED for lack of jurisdiction.

4 DATED March 9, 2012.

**UNITED STATES DISTRICT JUDGE**